



UNITED STATES PATENT AND TRADEMARK OFFICE

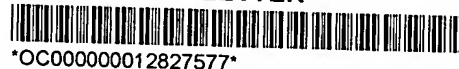
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,150	03/13/2004	Thomas J. Danley	82543

FITCH, EVEN, TABIN & FLANNERY
 Suite 1600
 120 South LaSalle Street
 Chicago, IL 60603-3406



CONFIRMATION NO. 6794
 FORMALITIES LETTER



OC000000012827577

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$86 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$986** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$86**

08/04/2004 EFLORES 00000024 061135 10800150

01 FC:2001 385.00 DA
 02 FC:2051 65.00 DA
 03 FC:2201 86.00 DA

- \$86 for 1 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

BINH
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.: 10/800,150

Applicants: Thomas J. DANLEY et al.

Filed: March 13, 2004

Title: SOUND REPRODUCING
APPARATUS AND METHOD
FOR OPTIMIZING SAME

TC/A.U.: 2837

Examiner: Not yet assigned

Docket No.: 82543

Customer No.: 22242

Confirmation No. 6794

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

7/30/2004

Date

Edward E. Clair

Registration No. 51,565

Attorney for Applicant(s)

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts dated June 1, 2004, enclosed are:

- ☒ A copy of the Notice to File Missing Parts.
- ☒ An executed Declaration for Patent Application, including Power of Attorney.
- ☒ A Preliminary Amendment.
- ☒ A Submission of Formal Drawings.
- ☒ 17 sheet(s) of drawings are enclosed. ☒ Formal ☐ Informal
- ☒ An Information Disclosure Statement is enclosed.
- ☒ A Form PTO/SB/08 is enclosed.
- ☐ An Assignment of the invention to _____, and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.
- ☐ A check in the amount of \$_____ to cover the fee for recording the assignment.

Application No. 10/800,150
Response dated July 30, 2004
Notice to File Missing Parts dated June 1, 2004

☐ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.

☒ Fee Calculation:

Fee Calculation For Claims As Filed and Amended

<input checked="" type="checkbox"/> Non-Provisional Utility Application Basic Fee	\$ 770.00	\$ 770.00
Independent Claims <u>5</u> - <u>3</u> = <u>2</u> x \$ 86.00	=	\$ 172.00
Total Claims <u>15</u> - <u>20</u> = <u>0</u> x \$ 18.00	=	\$ 0.00
Fee for Multiply Dependent Claims	\$ 280.00	
Surcharge under 37 C.F.R. §1.16(e)	\$ 130.00	\$ 130.00
 <input type="checkbox"/> Design Application Basic Fee	\$ 330.00	
Surcharge under 37 C.F.R. §1.16(e)	\$ 130.00	
 Total Filing and/or Surcharge Fee		\$ 1,072.00


☒ Applicant(s) assert entitlement to Small Entity Status, reducing the Filing/Surcharge Fee by half to: \$ 536.00

☐ A check in the amount of \$_____ to cover the Filing and/or Surcharge Fee.

☒ Charge \$ 536.00 to Deposit Account No. 06-1135.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

July 30, 2004
Date



Edward E. Clair
Registration No. 51,565

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Appln No.: 10/800,150

Filed: March 13, 2004

Applicants: Thomas J. DANLEY et al.

Title: SOUND REPRODUCING
APPARATUS AND METHOD FOR
OPTIMIZING SAME

Art Unit: 2837

Examiner: Not yet assigned

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

7/30/2004

Date

Edward E. Clair

Registration No. 51,565

Attorney for Applicant(s)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUBMISSION OF FORMAL DRAWINGS

Sir:

Enclosed herewith are seventeen (17) sheets of formal drawings (FIGS. 1-14B). Please substitute these formal drawings for the informal drawings filed with the above-captioned application.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: July 30, 2004

Edward E. Clair

Registration No. 51,565

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